

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION**

RAFAEL DANIEL DE LA CRUZ JIMENEZ: **DOCKET NO. 20-cv-00626**
REG. # 56269-004 **SECTION P**

VERSUS **JUDGE TERRY A. DOUGHTY**

USA, ET AL. **MAGISTRATE JUDGE KAY**

RULING

Pending before the Court are a Complaint/Petition [Doc. No. 1], containing a Motion for Preliminary Injunction [Doc. No. 1], and a Motion to Waive the Federal Bureau of Prison's Administrative Process [Doc. No. 2] filed by Petitioner Rafael Daniel De La Cruz Jimenez ("Jimenez").

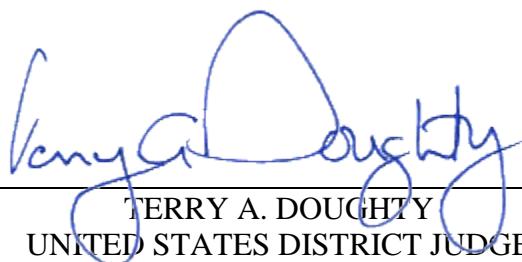
On June 15, 2020, Magistrate Judge Kay issued a Report and Recommendation [Doc. No. 9] in which she recommended that the Court find that Jimenez's Petition fails to state a claim for relief, deny the Motion for Preliminary Injunction, deny the Motion to Waive the Federal Bureau of Prisons' Administrative Process, and dismiss the Petition with prejudice.

On or about June 25, 2020, Jimenez filed, by placing in the prison mailing system, a 46-page Objection [Doc. No. 10] to the Report and Recommendation. In addition to objecting to the Magistrate Judge's Report and Recommendation, Jimenez moved the Court for a hearing on the merits.

Having fully reviewed the record in this matter, including the filings, the Report and Recommendation, and the Objection, the Court finds that a hearing on the merits is not necessary to address Jimenez's claims. Therefore, the Court will deny his request.

Further, after the *de novo* review of the record, the Court finds that the Magistrate Judge's Report and Recommendation is correct and that judgment as recommended is warranted. Accordingly, Jimenez's Motion for Preliminary Injunction and Motion to Waive the Federal Bureau of Prison's Administrative Process [Doc. No. 2] will be denied, and the Petition will be denied and dismissed with prejudice.

MONROE, LOUISIANA, this 30th day of June, 2020.



TERRY A. DOUGHTY
UNITED STATES DISTRICT JUDGE